

# WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

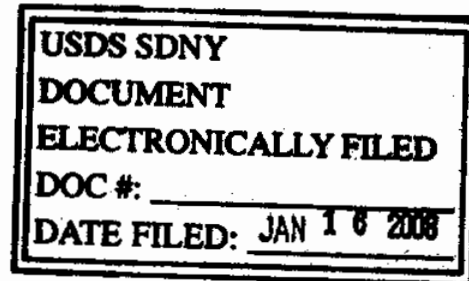
3 Gannett Drive, White Plains, New York 10604-3407 Tel: (914) 323-7000 Fax: (914) 323-7001

*Albany • Baltimore • Boston • Chicago • Dallas • Garden City • Houston • Las Vegas • London • Los Angeles • McLean  
Miami • Newark • New York • Orlando • Philadelphia • San Diego • San Francisco • Stamford • Washington, DC • White Plains  
Affiliates: Berlin • Cologne • Frankfurt • Mexico City • Munich • Paris*

www.wilsonelser.com

Rory L. Lubin  
rory.lubin@wilsonelser.com

January 15, 2008



VIA ECF

Hon. Paul A. Crotty, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street – Chambers 735  
Courtroom 20-C  
New York, New York 10007

*\*Application* GRANTED. The conference is adjourned to  
2/13/08 at 3:15 pm in Courtroom 20-C

SO ORDERED: 1/16/08

*Paul A. Crotty*  
HON. PAULA CROTTY  
UNITED STATES DISTRICT JUDGE

Re: *Creegan-Lynch v. Towns Sports International, LLC*  
Civil Action No. : 07 CIV. 6190  
Our File No. : 08342.00175

Dear Honorable Sir:

This office represents the defendant in the above captioned action. It is respectfully requested that the status conference currently scheduled for January 23, 2008 at 2:00 p.m. be adjourned to a date during the week of February 11, 2008. This request is made on the consent of both parties.

The reason for the request is threefold. First, the defendant's deposition was delayed due to the fact that the witness with knowledge of the material events is no longer an employee. There have been some difficulties getting the witness to cooperate but that has been resolved. The witness has agreed to sit for a deposition within the next two weeks. We have proposed some dates during this period to plaintiff's counsel, who is unavailable due to other trial commitments. Plaintiff's counsel is a solo practitioner. We believe we can get this deposition completed within 30 days.

Second, the plaintiff's deposition was just completed during the holidays. Defendant will be designating physicians to physically examine the plaintiff by the end of this week. The plaintiff will need to travel from out of state to attend these examinations but it is anticipated that the physical examinations can be completed by the end of February 2008.

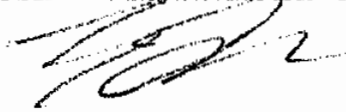
Third, as previously disclosed to the Court, the parties wish to take advantage of the Court's mediation program prior to trial. To that end, at the last conference a tentative trial date was scheduled for February 25, 2008. In light of the request above, the parties also jointly request that the trial ~~date be adjourned to a date during the week of March 17, 2008.~~ (u)

*is to*

It is hoped that the requested adjourn dates will enable the parties to complete discovery and participate in a mediation in timely fashion.

Respectfully submitted,

**WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP**

A handwritten signature in black ink, appearing to read 'Rory L. Lubin', is written over the firm name.

Rory L. Lubin

RLL/lp

cc: Gregory Bagen, Esq. (via e-mail)